THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

On Monday, the twenty third day of January,

two thousand and six.

W.P.No.7311 of 1996

C.V.Muralikrishna Reddy & another.

.....Petitioners.

And:

The District Collector, Rangareddy District,

Hyderabad and another.

.....Respondents.

O R D E R:

No representation for the petitioners.

Heard the learned Assistant Government Pleader.

Aggrieved by the action of the Sub Registrar (2nd respondent) in insisting the petitioners to produce clearance certificate issued by the District Collector (1st respondent) for effecting registration of the land S.Nos.688/2, 691/6 and 707/1 to an extent of Ac.6-7-guntas; Ac.0.10 guntas and Ac.4-25 guntas at Yamzal village,

Shamirpet Mandal, petitioners filed this petition.

Without going into the merits of the contentions raised in the affidavit of the 2nd petitioner filed in support of the writ petition, since the registration authority has no power or authority to go into the question of title of the vendor, and since Section 22-A of the Registration Act was introduced into the Registration Act by way of A.P.Act 4 of 1999 only, and since this petition is of the year 1996 the action of the 2nd respondent in insisting production of no objection certificate from the 1st respondent for registering the document is unwarranted and is not in accordance with the provisions of the Registration Act. It is to be stated that in WPMP.No.8983 of 1996, the learned Judge while admitting the Writ Petition, passed an order, directing the petitioners to include a clause in the sale deed to the effect that the registration of the sale deed will be subject to the result of the writ petition and directed the 2nd respondent to receive the sale deed executed by the petitioners and register the same in accordance with law.

In view thereof, no further orders are necessary in this writ petition and needless to mention that if any person other than the petitioners are owners of the property they are always at liberty to protect their rights by taking appropriate proceedings, because a person who has no title cannot pass title to the purchaser because the maxim is that none can convey better title than what he has. The Writ Petition is disposed of accordingly. No costs.

JUSTICE C.Y.SOMAYAJULU

23rd January 2006.

BCS